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Attorneys for Twain GL XXV, LLC

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – NORTHERN DIVISION

In re:

SA HOSPITAL ACQUISITION GROUP, LLC

Debtor.

Case No. 9:23-bk-10690-RC

Chapter 11

**NOTICE OF ERRATA RE: TWAIN
GL XXV, LLC'S APPLICATION FOR
ORDER SETTING HEARING ON
SHORTENED NOTICE [LBR 9075-
1(b)] [DKT. NO. 6]**

Place: 1415 State Street
Santa Barbara, CA 93101
Courtroom 201

TO THE HONORABLE RONALD A. CLIFFORD III, UNITED STATES

BANKRUPTCY JUDGE; THE OFFICE OF THE UNITED STATES TRUSTEE; AND ALL
INTERESTED PARTIES:

On August 15, 2023, Twain GL XXV, LLC (“Applicant”) filed its Motion to Dismiss Chapter 11 Case (“Motion”) [Dkt. No. 5] and its Application for Order Setting Hearing on

1 Shortened Notice (“Application”) [Dkt. No. 6] seeking to set a hearing on the Motion on
2 shortened notice. It has come to the undersigned counsel’s attention that the incorrect declaration
3 was inadvertently attached to the Application. Attached to this notice is the correct Declaration of
4 Daniel Wiggins that was intended to have been attached to the Application and filed in support
5 thereof.

6 Dated: August 16, 2023

7 STINSON LLP
Anthony P. Cali

8 - and -

9 SNELL & WILMER L.L.P.

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11 By: /s/ Marshall J. Hogan
12 Marshall J. Hogan

13 Attorneys for Twain GL XXV, LLC

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
(Santa Barbara)

IN RE:)
) Chapter 11
SA HOSPITAL ACQUISITION)
GROUP, LLC,) Case No. 9:23-bk-10690-RC
)
Debtor.)

DECLARATION OF DANIEL WIGGINS

I, Daniel Wiggins, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a Principal and financial advisory professional at MorrisAnderson & Associates, Ltd. (“MorrisAnderson”) and authorized to give this Declaration on behalf of MorrisAnderson, and am making the statements in this Declaration based on personal knowledge.

2. MorrisAnderson was appointed as general receiver of SA Hospital Acquisition Group, LLC (the “Debtor”) and SA Hospital Real Estate Holdings, LLC (together with the Debtor, the “Defendants”) by the Circuit Court of the City of St. Louis, Missouri, in Case No. 2322-CC00960 by virtue of an Order For Appointment of Receiver entered on May 25, 2023 (the “Receivership Order”).

3. On May 31, 2023, MorrisAnderson filed its bond and took its position as general receiver over the Defendants.

4. The Defendants lease certain property located in the City of St. Louis, Missouri for the purpose of owning and operating the South City Hospital in St. Louis, Missouri (the "Premises").

5. As of the date of this Declaration, South City Hospital has ceased operations, but MorrisAnderson continues to oversee and maintain the Premises.

6. MorrisAnderson and Debtor have employees in place performing, among other things, the following tasks: (i) maintaining and organizing patient records; (ii); securing and maintaining the Premises; (iii) billing and collecting unpaid accounts receivable.

7. I was informed that a voluntary bankruptcy petition was filed by the Debtor in the United States Bankruptcy Court for the Central District of California on August 11, 2023.

8. Since the filing, MorrisAnderson has taken actions to preserve the property of the estate.

9. To date, representatives of the Debtor have not appeared at the hospital to take over the estate property.

10. If the Debtor so requests, MorrisAnderson will turn over the property in order to comply with the automatic stay of Bankruptcy Code § 362 and the custodian's turnover obligations.

11. The bankruptcy filing places the estate and MorrisAnderson in an uncertain position.

12. The Debtor has not filed any first-day motions for financing, use of cash collateral, to pay employees for their pre-petition and post-petition services, or to pay critical vendors and the Receiver and its professionals, all of which are necessary to preserve the Premises and the assets of the estate.

13. If this bankruptcy case is dismissed, MorrisAnderson will need to continue its services on behalf of the Missouri state court that appointed it.

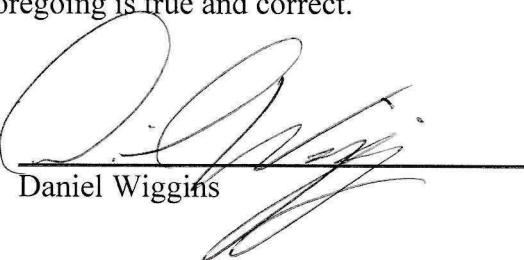
14. If the bankruptcy case is not dismissed, the debtor-in-possession needs to promptly take charge of the assets.

15. MorrisAnderson is concerned that the employees performing the tasks outlined above will not stay without an adequate funding source and assurance of payment for services performed and to be performed. This is an assurance that MorrisAnderson cannot provide in this current situation.

16. The employees, collections, and assets will be disrupted if consideration of the motion to dismiss is delayed.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 15, 2023



Daniel Wiggins

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 600 Anton Blvd., Suite 1400, Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF ERRATA RE: TWAIN GL XXV, LLC'S APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075- 1(b)] [DKT. NO. 6]** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) August 16, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Michael Jay Berger** michael.berger@bankruptcypower.com, yathida.nipha@bankruptcypower.com; michael.berger@ecf.inforuptcy.com
- **Brian David Fittipaldi** brian.fittipaldi@usdoj.gov
- **Marshall J Hogan** mhogan@swlaw.com, knestuk@swlaw.com
- **United States Trustee (ND)** ustpregion16.nd.ecf@usdoj.gov

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) xxxx, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) August 16, 2023 I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA FEDEX

Honorable Ronald A. Clifford III
United States Bankruptcy Court
Central District of California
1415 State Street, Suite 233 / Courtroom 201
Santa Barbara, California 93101-2511

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

8/16/23 Kelley Nestuk
Date Printed Name

/s/Kelley Nestuk
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.